

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Intermediate Education - Vocational Education +2 Stage – Smt.D.S.Suvarna, Part Time Junior Lecturer (Minimum Time Scale) in Office Assistantship., Government Junior College, Punganur, Chittoor District – Permission to continue as Part Time Junior Lecturers in OAS on Minimum Time Scale as per orders of the APAT, dt.25.2.2010 in O.A.No.4724 of 2009 - Accorded - Orders – Issued.

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HIGHER EDUCATION (IE.I) DEPARTMENT

G.O.Rt.No. 440

Dated:16-06-2010

Read the following:

1. The C.I.E., Procs.Rc.No.Voc.I.2/553/2006, dt.24.2.2009.
2. Orders of Hon'ble APAT dt.25.2.2010 in O.A.No.4724/2009, filed by Smt. D.S.Suvarna, PTJL in O.A., G.J.C, Punganur, Chittoor District.
3. From the D.I.E. Lr. Rc.No.Voc.1-2/317/2009, dt.26.4.2010.

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ORDER:

The Director of Intermediate Education in his Proceedings 1<sup>st</sup> read above, the services of Smt. D.S. Suvarna, PTJL in O.A.S., Government Junior College, Punganur, Chittoor District was dispensed.

2. Aggrieved by the above orders, Smt. D.S. Suvarna, PTJL in O.As., Government Junior College, Punganur, Chittoor District has filed O.A.No.4724/2009 in the Hon'ble APAT., Hyderabad. The Hon'ble APAT., made the following order on dt.25.2.2010:

“ xxxxx It is now known how the respondents are relying upon the said memo and dispense with the services of the applicant. The applicant is fully qualified and eligible and she has been appointed and rendered service right from 1993. In fact, the respondents themselves have awarded minimum scale of pay and when the applicant is fully qualified in accordance with statutory rules, it would be illegal on part of the respondents to place reliance on the Memo issued by the Government and discontinue the services of the applicant. Further, the learned counsel for the applicant submits that Memo dt.27.12.2008 was issued in the case of Sri T.J.Visweswar and Sri S.Rami Reddy Part time Junior Lecturers in Assistantship. The respondents have relaxed the rules wholesale in favour of those incumbents and they are continuing as Part Time Lecturers vide G.O.Rt.No.683, dt.11.09.2009. The 1<sup>st</sup> respondent has misconstrued the above memo and has made the same as basis to issue the impugned order. It is settled proposition of Law that any Memo. or Executive Instruction or Circular issued by the Government or only other authority can not override the statutory rules made under proviso to Article 309 of the Constitution of India. In this view of the matter the action of the respondents is wholly arbitrary and illegal and contrary to the statutory rules.

For the reasons given the impugned proceedings of the 1<sup>st</sup> respondent issued in Rc.No.Voc.I.2/553/2006-3, dt.24.2.2009 discontinuing her from service on the ground that she is not qualify are set a side and the O.A., is allowed. V.M.A., stands dismissed”.

3. The Director of Intermediate Education in his letter 3<sup>rd</sup> read above while explained the circumstances and requested the Government to issue lines of action to be taken thereon the orders dt.25.2.2010 of the Hon'ble APAT, Hyderabad in O.A.No.4724/2009 with VMA No.2297/09, filed by Smt. D.S.Suvarna, Part Time Junior Lecturer in Office Assistanceship, Government Junior College, Punganur, Chittoor District for continuing her as Part Time Junior Lecturer (MTS).

P.T.O.,

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4. The Government after careful examination and comply with the orders of the A.P.A.T. in the reference 2<sup>nd</sup> read above, hereby accord permission to the Director of Intermediate Education to continue Smt.D.S.Suvarna as Part Time Junior Lecturer (Minimum Time Scale) in Office Assistantship., Government Junior College, Punganur, Chittoor District on Minimum Time Scale.

5. The Director of Intermediate Education, A.P. Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO  
SECRETARY TO GOVERNMENT

To  
The Director of Intermediate Education, A.P. Hyderabad.  
The Individuals through D.I.E., AP., Hyderabad.  
Copy to:  
The Government Pleader for Education,  
A.P.A.T, Hyderabad.  
Sf/Sc-1.

//FORWARDED BY ORDER//

SECTION OFFICER